



TJW

1711

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	08/932227-Conf. #5092	
	Filing Date	September 17, 1997	
	First Named Inventor	Eric Thor Fossel	
	Art Unit	1711	
	Examiner Name	J. C. Mullis	
Total Number of Pages in This Submission		Attorney Docket Number	S1509.70029US00

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Receipt Postcard
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	WOLF, GREENFIELD & SACKS, P.C.		
Signature			
Printed name	Tani Chen, Sc.D.		
Date	April 10, 2006	Reg. No.	52,728

#### Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 10, 2006

(Signature)



DOCKET NO.: S1509.70029US00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Eric T. Fossel  
Serial No.: 08/932,227  
Confirmation No.: 5092  
Filed: September 17, 1997  
For: TOPICAL DELIVERY OF L-ARGININE TO CAUSE  
BENEFICIAL EFFECTS

Examiner: Jeffrey C. Mullis  
Art Unit: 1711

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 10<sup>th</sup> day of April, 2006.



Signature

---

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Serial No.: 08/932,227  
Conf. No.: 5092

- 3 -

Art Unit: 1711

Respectfully submitted,

By:

  
Tani Chen, Sc.D., Reg. No. 52,728  
Patrick R.H. Waller, Ph.D., Reg No. 41,418  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: S1509.70029US00

Date: April 10, 2006

xNDDx



FORM 1470/A and B (modified PTO/SB/08)

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 1 of 1

APPLICATION NO.:	08/932,227	ATTY. DOCKET NO.:	S1509.70029US00
FILING DATE:	September 17, 1997	CONFIRMATION NO.:	5092
APPLICANT:	Eric T. Fosse		
GROUP ART UNIT:	1711	EXAMINER:	Jeffrey C. Mullis

### U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		4,681,897		L. Brand	07-21-1987
		5,595,753		H. Hechtman	01-21-1997

### FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			

### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
		Pauly et al, <i>Liposomes containing amino acids and peptides and proteins for skin care</i> , Chemical Abstracts (1998), Vol. 113, No. 65069	Abstract

EXAMINER:

DATE CONSIDERED:

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_, filed \_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]



APR 14 2006

ANSWER 2 OF 4 CAPLUS COPYRIGHT 1998 ACS  
1990:465069 CAPLUS  
DN 113:65069  
TI Liposomes containing amino acids and peptides and proteins for skin care  
IN Pauly, Marc; Koulbanis, Constantin  
PA Laboratoires Serobiologiques S. A., Fr.  
SO Fr. Demande, 20 pp.  
CODEN: FRXXBL  
PI FR 2627385 A1 890825  
AI FR 89-1439 890203  
DT Patent  
LA French  
IC ICM A61K009-50  
ICS A61K007-48; A61K031-195; A61K031-395; A61K037-02  
CC 62-4 (Essential Oils and Cosmetics)  
Section cross-reference(s): 63  
OS MARPAT 113:65069  
AB Cosmetics and dermatol. compns. comprise amino acids, peptides or proteins, incorporated into liposomes as skin nutrients. The proteins may originate from placenta, blood, milk, yeast, etc. A liposome compn. comprised phospholipids 90 and cholesterol 10% in the lipid phase, and plasma hydrolyzate 10.00, glutathione 0.15, carnosine 1.00, methylparaben 0.20, and water to 100%, in the active aq. phase.  
ST liposome protein cosmetic skin compn; amino acid  
liposome skin compn; peptide liposome  
skin compn; protein liposome skin compn  
IT Thymus gland  
(ext., liposomes contg., as cosmetics and dermatol.  
compns.)  
IT Bacillus  
Bacteria  
Klebsiella  
Plant  
Yeast  
(liposomes contg. ext. of, for cosmetics and dermatol.  
compns.)  
IT Amniotic fluid  
Milk  
(liposomes contg., for cosmetics and dermatol. compns.)  
IT Deoxyribonucleic acids  
Elastins  
Fibroins  
Fibronectins  
Globins  
Glutelins  
Histones  
Keratins  
Lipoproteins  
Lipovitellins  
Mucins  
Mucopeptides  
Orosomucoids  
Ovalbumins  
Phosphoproteins  
Phosvitins  
Placental hormones

Protamines  
Vitellins  
Albumins, biological studies  
Amino acids, biological studies  
Caseins, biological studies  
Collagens, biological studies  
Globulins, biological studies  
Glycoproteins, biological studies  
Peptides, biological studies  
Proteins, biological studies  
RL: BIOL (Biological study)  
(**liposomes** contg., for cosmetics and dermatol. compns.)  
IT Proteins, specific or class  
RL: BIOL (Biological study)  
(chloroplastins, **liposomes** contg., for cosmetics and  
dermatol. compns.)  
IT Cosmetics  
(**liposomes**, amino acids- and peptides- and  
proteins-contg.)  
IT Lipoproteins  
RL: BIOL (Biological study)  
(lipovitellenins, **liposomes** contg., for cosmetics and  
dermatol. compns.)  
IT Albuminoids  
RL: BIOL (Biological study)  
(scleroproteins, **liposomes** contg., for cosmetics and  
dermatol. compns.)  
IT 51-35-4, Hydroxyproline 52-90-4, L-Cysteine, biological studies  
56-40-6, Glycine, biological studies 56-41-7, L-Alanine,  
biological studies 56-45-1, L-Serine, biological studies  
56-84-8, L-Aspartic acid, biological studies 56-85-9, Glutamine,  
biological studies 56-86-0, L-Glutamic acid, biological studies  
56-87-1, L-Lysine, biological studies 57-13-6, Urea, biological  
studies 60-18-4, Tyrosine, biological studies 61-90-5,  
L-Leucine, biological studies 63-68-3, Methionine, biological  
studies 63-91-2, L-Phenylalanine, biological studies 70-26-8,  
Ornithine 70-47-3, Asparagine, biological studies 71-00-1,  
L-Histidine, biological studies 72-18-4, Valine, biological  
studies 72-19-5, L-Threonine, biological studies 73-22-3,  
L-Tryptophan, biological studies 73-32-5, Isoleucine, biological  
studies 74-79-3, L-Arginine, biological  
studies 74-89-5, Methanamine, biological studies 98-79-3  
104-98-3, Urocanic acid 107-43-7, Betaine 107-85-7, Isoamylamine  
110-60-1, Tetramethylenediamine 127-17-3, biological studies  
141-43-5, biological studies 147-85-3, Proline, biological studies  
332-80-9, 1-Methylhistidine 368-16-1, 3-Methylhistidine  
372-75-8, L-Citrulline 392-12-1, Indolepyruvic acid 451-13-8,  
Homogentisic acid 462-94-2, Pentamethylenediamine 515-94-6,  
.alpha.-.beta.-Diaminopropionic acid 541-15-1, Carnitine  
600-18-0 1190-94-9, Hydroxylysine 1948-56-7,  
.alpha.-Aminoacrylic acid 2643-66-5, .alpha.-.beta.-Diaminobutyric  
acid 6027-13-0, Homocysteine 9001-99-4, Ribonuclease  
9003-98-9, Desoxyribonuclease 34410-46-3 52047-41-3, Aminoadipic  
acid 121152-92-9 128594-01-4  
RL: BIOL (Biological study)